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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,222	09/21/1999	YOKO FUJIWARA	325772012000	3189

7590 05/05/2004  
Barry E. Bretschneider  
Morrison & Foerster LLP  
1650 Tysons Blvd., Suite 300  
McLean, VA 22102

EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 05/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/400,222

Applicant(s)

FUJIWARA, YOKO

Examiner

Stephen M Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,8,13,18,19,24,25 and 29 is/are rejected.
- 7) ☒ Claim(s) 3-6,9-12,14-17,20-23 and 26-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-2, 7-8, 13, 18-19, 24-25, & 29 are rejected under 35 U.S.C. 102(a) as being anticipated by JA 6-178133 in view of Pellar.

Re claims 1-2, 7-8, 13, 18-19, 24-25, & 29, JA 6-178133 discloses (Abstract) an arrangement in which the image data of an input page is read and received, the screen angle of the input page is determined based on its image data, a new dither pattern having a different screen angle is selected, and an output document is output and printed using the different screen angle.

JA 6-178133 does not disclose selecting a new dither pattern having a different screen angle from among a plurality of alternatives. The selection of a new dither pattern having a different screen angle from among a plurality of alternatives is known as evidenced by Pellar (column 3, lines 14-18). The use of such a selection in order to, for example, select between 90 degree rotation clockwise and 90 degree rotation counterclockwise in JA 6-178133 would be an expedient obvious to one of ordinary skill in the art.

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***Allowable Subject Matter***

3. Claims 3-6, 9-12, 14-17, 20-23, & 26-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 3, 9, 14, 20, & 26 (and dependent claims 4, 10, 15, & 21), the art of record does not teach or suggest the recited detection of screen angles for various colors and selection of different screen angles for each of these colors.

Re claims 5, 11, 16, 22, & 27, the art of record does not teach or suggest the recited comparison of image data to a plurality of detection patterns and counting of matches to determine an input image screen angle.

Re claims 6, 12, 17, 23 & 28, the art of record does not teach or suggest the recited calculation of average pixel densities around a particular pixel and determination of an input document screen angle based on a density maximum.

***Response to Arguments***

5. Applicant's arguments filed 19 April 2004 have been fully considered but they are not persuasive.

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Applicant argues (Paper #15: page 9, lines 7-14) that claims 1, 7, 13, 18, and 24 have been amended to clarify the term "screen angle".

However, it is not clear how the amended recitation of "an image pattern described on a document" recites a feature that is patenably distinct from detecting a pattern (e.g. the document edges) indicative of document orientation.

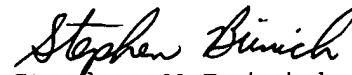
**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

  
Stephen M Brinich  
Examiner  
Art Unit 2624

smb  
May 3, 2004

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